



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of) Examiner: W. WATKINS III
W. BAKKER, et al.)
Serial No.: 08/977,374) Art Unit: 1772
Filed: November 24, 1997) Confirmation: 3062
For: **DEVICE FOR HEAT**)
SHRINKING FILM ONTO)
AN OPEN-TOPPED)
CONTAINER)
Date of Office Action:)
May 18, 2004)
Attorney Docket No.:) Cleveland, OH 44114
PZNZ 2 00017-1) October 18, 2004

NOTICE OF APPEAL

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The applicants hereby appeal from the Rejection of claims 36-46 in the Office Action of May 18, 2004. All claims have been at least twice rejected.

The Notice of Appeal fee was previously paid with the Notice of Appeal filed on October 7, 1999 (Paper No. 17). This application having been withdrawn from the Appeal process by the Examiner prior to its being forwarded to the Board of Appeals, it is understood that it is not necessary to pay the Appeal fee a second time.

A Request for a Two-Month Extension of Time with the associated fee is enclosed (small entity).

Certificate of Mailing

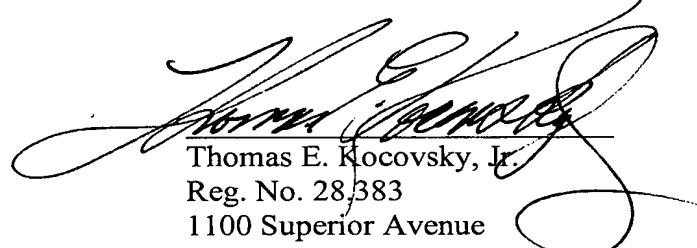
I certify that this **NOTICE OF APPEAL** in connection with Ser. No. 08/977,374 is being
 deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date	Signature
October 18, 2004	Hilary M McNULTY
	Printed Name
	Hilary M. McNULTY

The Commissioner is hereby authorized to charge any Appeal fees or other fees which may be required, or to credit any overpayment to Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP



Thomas E. Kocovsky, Jr.
Reg. No. 28,383
1100 Superior Avenue
Seventh Floor
Cleveland, OH 44114-2518
(216) 861-5582